UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1164 (1998)
29 April 1998

RESOLUTION 1164 (1998)

Adopted by the Security Council at its 3876th meeting, on
29 April 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Expressing its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered the report of the Secretary-General of 17 April 1998 (S/1998/333),

Welcoming the recent steps by the Government of Unity and National Reconciliation (GURN) and the União para a Independência Total de Angola (UNITA) toward completing the remaining tasks of the Lusaka Protocol (S/1994/1441, annex), including promulgation of the law granting special status to the leader of UNITA, the appointment of the remaining governors and vice-governors nominated by UNITA, agreement on a list of ambassadors nominated by UNITA, cessation of broadcasts by Radio Vorgan, and the arrival in Luanda of senior officials of UNITA to prepare for the establishment of UNITA headquarters in the capital,

1. Calls upon the GURN and in particular UNITA to complete all remaining obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol and relevant Security Council resolutions, including the normalization of State administration throughout the national territory as well as disarmament of the civilian population;

2. Strongly reiterates its demand that UNITA stop its pattern of delays and linkages and cooperate immediately and without conditions in completing the normalization of State administration throughout the national territory, including in particular in Andulo and Bailundo;

3. Takes note of steps taken by UNITA regarding some of the obligations set out in paragraphs 2 and 3 of resolution 1127 (1997) of 28 August 1997, and reaffirms its readiness to review the measures specified in paragraph 4 of resolution 1127 (1997) or to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997);

4. Strongly condemns the attacks by members of UNITA on the personnel of the United Nations Observer Mission in Angola (MONUA), international personnel and Angolan national authorities, including the police, demands that UNITA immediately stop such attacks, and urges MONUA to investigate promptly the recent attack in N'gove;

5. Calls upon the GURN and in particular UNITA to guarantee unconditionally the safety, security and freedom of movement of all United Nations and international personnel;

6. Also calls upon the GURN to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration or lead to renewed hostilities, and encourages the GURN to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process;

7. Reiterates its belief that a meeting in Angola between the President of the Republic of Angola and the leader of UNITA could facilitate the successful conclusion of the peace process and accelerate the process of national reconciliation;

8. Decides to extend the mandate of MONUA until 30 June 1998;

9. Reaffirms paragraph 6 of resolution 1157 (1998) of 20 March 1998, and endorses the recommendation of the Secretary-General to complete the withdrawal of all military personnel, with the exception of one infantry company, the helicopter unit, the signals and medical support units and 90 military observers, no later than 1 July 1998, and in accordance with paragraph 38 of his report of 17 April 1998;

10. Endorses the recommendation of the Secretary-General in his above-mentioned report to deploy 83 additional civilian police observers, as authorized by resolution 1157 (1998), following consultations with the GURN;

11. Takes note with appreciation of the recommendations of the Secretary-General contained in section IX of his report of 17 April 1998 regarding the beginning of the drawdown of the military observers and civilian personnel of MONUA and the termination of MONUA, and expresses its intention to take a final decision by 30 June 1998 on the mandate, size and organizational structure of MONUA or a follow-on United Nations presence after that date, based on progress in the peace process and in light of the report referred to in paragraph 12 below;

12. Requests the Secretary-General to submit a report by 17 June 1998 on the status of the peace process, with further recommendations regarding the mandate, size and organizational structure of MONUA or a follow-on United

Nations presence after 30 June 1998 and revised estimates of the cost of that United Nations presence;

13. Expresses its appreciation to the Chairman of the Committee created pursuant to resolution 864 (1993) who visited Angola and other interested countries and reinforced the need for full and effective implementation of the measures specified in paragraph 4 of resolution 1127 (1997) in order to achieve compliance by UNITA with its obligations under the Lusaka Protocol and relevant Security Council resolutions;

14. Calls upon all Member States to implement fully and without delay the measures specified in paragraph 4 of resolution 1127 (1997), reiterates its request that Member States having information on flights and other actions prohibited in paragraph 4 of resolution 1127 (1997) provide this information to the Committee created pursuant to resolution 864 (1993), and requests the Secretary-General to report on these violations by UNITA and certain Member States in the report referred to in paragraph 12 above;

15. Expresses its appreciation to the Secretary-General, his Special Representative and the personnel of MONUA for assisting the Government of Angola and UNITA to implement the peace process;

16. Decides to remain actively seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/RES/1165 (1998)
30 April 1998

RESOLUTION 1165 (1998)

Adopted by the Security Council at its 3877th meeting,
on 30 April 1998

The Security Council,

Reaffirming its resolution 955 (1994) of 8 November 1994,

Recalling its decision in that resolution to consider increasing the number of judges and Trial Chambers of the International Tribunal for Rwanda if it becomes necessary,

Remaining convinced that in the particular circumstances of Rwanda, the prosecution of persons responsible for serious violations of international humanitarian law will contribute to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda and in the region,

Stressing the need for international cooperation to strengthen the courts and judicial system of Rwanda, having regard in particular to the necessity for those courts to deal with a large number of accused awaiting trial,

Having considered the letter of the President of the International Tribunal for Rwanda, transmitted by identical letters from the Secretary-General to the Presidents of the Security Council and the General Assembly dated 15 October 1997 (S/1997/812),

Convinced of the need to increase the number of judges and Trial Chambers, in order to enable the International Tribunal for Rwanda to try without delay the large number of accused awaiting trial,

Noting the progress being made in improving the efficient functioning of the International Tribunal for Rwanda, and convinced of the need for its organs to continue their efforts to further such progress,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to establish a third Trial Chamber of the International Tribunal for Rwanda, and to this end decides to amend articles 10, 11 and 12 of the Statute of the Tribunal and to replace those articles with the provisions set out in the annex to this resolution;

2. Decides that the elections for the judges of the three Trial Chambers shall be held together, for a term of office to expire on 24 May 2003;

3. Decides that, as an exceptional measure to enable the third Trial Chamber to begin to function at the earliest possible date and without prejudice to Article 12, paragraph 5, of the Statute of the International Tribunal for Rwanda, three newly elected judges, designated by the Secretary-General in consultation with the President of the International Tribunal, shall commence their term of office as soon as possible following the elections;

4. Urges all States to cooperate fully with the International Tribunal for Rwanda and its organs in accordance with resolution 955 (1994), and welcomes the cooperation already extended to the International Tribunal in the fulfilment of its mandate;

5. Urges also the organs of the International Tribunal for Rwanda actively to continue their efforts to increase further the efficiency of the work of the International Tribunal in their respective areas and in this connection further calls upon them to consider how their procedures and methods of work could be enhanced, taking into account relevant recommendations in this regard;

6. Requests the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above and for enhancing the effective functioning of the International Tribunal for Rwanda, including the timely provision of personnel and facilities, in particular for the third Trial Chamber and related offices of the Prosecutor, and further requests him to keep the Security Council closely informed of progress in this regard;

7. Decides to remain actively seized of the matter.

ANNEX

STATUTE OF THE INTERNATIONAL TRIBUNAL FOR RWANDA

...

Article 10

Organization of the International Tribunal for Rwanda

The International Tribunal for Rwanda shall consist of the following organs:

(a) The Chambers, comprising three Trial Chambers and an Appeals Chamber;

(b) The Prosecutor;

(c) A Registry.

Article 11

Composition of the Chambers

The Chambers shall be composed of fourteen independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(a) Three judges shall serve in each of the Trial Chambers;

(b) Five judges shall serve in the Appeals Chamber.

Article 12

Qualification and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. The members of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal for the Former Yugoslavia") shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.

3. The judges of the Trial Chambers of the International Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges of the Trial Chambers from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within thirty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality and neither of whom shall be of the same nationality as any judge on the Appeals Chamber;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received, the Security Council shall establish a list of not less than eighteen and not more than twenty-seven candidates, taking due account of adequate representation on the International Tribunal for Rwanda of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list, the General Assembly shall elect the nine judges of the Trial Chambers. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

4. In the event of a vacancy in the Trial Chambers, after consultation with the Presidents of the Security Council and the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

5. The judges of the Trial Chambers shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Tribunal for the Former Yugoslavia. They shall be eligible for re-election.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1166 (1998)
13 May 1998

RESOLUTION 1166 (1998)

Adopted by the Security Council at its 3878th meeting,
on 13 May 1998

The Security Council,

Reaffirming its resolution 827 (1993) of 25 May 1993,

Remaining convinced that the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia contributes to the restoration and maintenance of peace in the former Yugoslavia,

Having considered the letter from the Secretary-General to the President of the Security Council dated 5 May 1998 (S/1998/376),

Convinced of the need to increase the number of judges and Trial Chambers, in order to enable the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("the International Tribunal") to try without delay the large number of accused awaiting trial,

Noting the significant progress being made in improving the procedures of the International Tribunal, and convinced of the need for its organs to continue their efforts to further such progress,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to establish a third Trial Chamber of the International Tribunal, and to this end decides to amend articles 11, 12 and 13 of the Statute of the International Tribunal and to replace those articles with the provisions set out in the annex to this resolution;

2. Decides that three additional judges shall be elected as soon as possible to serve in the additional Trial Chamber, and decides also, without prejudice to article 13.4 of the Statute of the International Tribunal, that once elected they shall serve until the date of the expiry of the terms of office of the existing judges, and that for the purpose of that election the

Security Council shall, notwithstanding article 13.2 (c) of the Statute, establish a list from the nominations received of not less than six and not more than nine candidates;

3. Urges all States to cooperate fully with the International Tribunal and its organs in accordance with their obligations under resolution 827 (1993) and the Statute of the International Tribunal and welcomes the cooperation already extended to the Tribunal in the fulfilment of its mandate;

4. Requests the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above and for enhancing the effective functioning of the International Tribunal, including the timely provision of personnel and facilities, in particular for the third Trial Chamber and related offices of the Prosecutor, and further requests him to keep the Security Council closely informed of progress in this regard;

5. Decides to remain actively seized of the matter.

ANNEX

Article 11

Organization of the International Tribunal

The International Tribunal shall consist of the following organs:

(a) The Chambers, comprising three Trial Chambers and an Appeals Chamber,

(b) The Prosecutor, and

(c) A Registry, servicing both the Chambers and the Prosecutor.

Article 12

Composition of the Chambers

The Chambers shall be composed of fourteen independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(a) Three judges shall serve in each of the Trial Chambers;

(b) Five judges shall serve in the Appeals Chamber.

Article 13

Qualifications and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. The judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than twenty-eight and not more than forty-two

candidates, taking due account of the adequate representation of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the fourteen Judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

3. In the event of a vacancy in the Chambers, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

4. The judges shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Court of Justice. They shall be eligible for re-election.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1167 (1998)
14 May 1998

RESOLUTION 1167 (1998)

Adopted by the Security Council at its 3879th meeting,
on 14 May 1998

The Security Council,

Recalling all its relevant resolutions and the statements of its President,

Having considered the report of the Secretary-General on the situation in Tajikistan of 6 May 1998 (S/1998/374),

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Expressing regret that during the past three months progress in the peace process has been very slow,

Expressing concern at the precarious security situation in some parts of Tajikistan,

Expressing further concern at violations of the ceasefire in Tajikistan,

Welcoming the intensified contacts between the leaderships of the Government of Tajikistan and the United Tajik Opposition (UTO) which helped to contain the crises in the period covered by the report of the Secretary-General and confirmed the commitment of both parties to the peace process,

Recognizing that comprehensive international support remains essential for the intensification of the peace process in Tajikistan,

Welcoming the maintenance of close contact by the United Nations Mission of Observers in Tajikistan (UNMOT) with the parties, as well as its cooperative liaison with the Collective Peacekeeping Forces of the Commonwealth of Independent States (the CIS Peacekeeping Forces), the Russian border forces and the Mission of the Organization for Security and Cooperation in Europe,

Welcoming further the contribution of the Contact Group of Guarantor States and International Organizations to the peace process,

1. Welcomes the report of the Secretary-General of 6 May 1998;

2. Condemns renewed fighting in violation of the ceasefire resulting from attacks initiated by some local UTO commanders, and calls upon all concerned to refrain from acts of violence;

3. Calls upon the parties to undertake vigorous efforts to implement fully the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/510), including the Protocol on military issues (S/1997/209, annex II), and to create conditions for the holding of elections at the earliest possible time;

4. Calls upon the parties, with the involvement of UNMOT and the Contact Group, to implement the timetable of measures adopted by the Commission on National Reconciliation (CNR) on 29 April 1998, notably, and as a matter of priority, the implementation of the Protocol on military issues and the appointment of UTO representatives to the remaining government positions allocated to them, as well as the implementation of the amnesty law;

5. Notes with appreciation the work of the retiring Special Representative of the Secretary-General, commends the efforts of all the personnel of UNMOT and encourages them to continue assisting the parties in the implementation of the General Agreement;

6. Calls upon the parties to intensify their efforts to bring into operation as soon as possible a joint security unit tasked with providing security for UNMOT personnel, and to cooperate further in ensuring the safety and freedom of movement of the personnel of the United Nations, the CIS Peacekeeping Forces, and other international personnel;

7. Encourages UNMOT and the CIS Peacekeeping Forces to continue discussion of options for improving security cooperation;

8. Calls upon Member States and others concerned to respond promptly and generously to the consolidated appeal for Tajikistan for 1998 launched in Geneva in March 1998, and expresses the hope that the meeting of the Consultative Group to be held by the World Bank on 20 May 1998 will bring positive results;

9. Decides to extend the mandate of UNMOT for a period of six months until 15 November 1998;

10. Requests the Secretary-General to keep the Council informed of all significant developments, in particular regarding the security situation, and also requests him to report within three months of the adoption of this resolution on its implementation;

11. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/RES/1168 (1998)
21 May 1998

RESOLUTION 1168 (1998)

Adopted by the Security Council at its 3883rd meeting, on 21 May 1998

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1103 (1997) of 31 March 1997, 1107 (1997) of 16 May 1997 and 1144 (1997) of 19 December 1997,

Expressing its continued commitment to the political settlement of conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Recalling the conclusions of the Steering Board of the Peace Implementation Council held in Sintra on 30 May 1997 (S/1997/434, annex) and the Peace Implementation Conference held in Bonn on 9 and 10 December 1997 (S/1997/979, annex),

Having considered the report of the Secretary-General of 12 March 1998 (S/1998/227 and Add.1), and taking note of his observations and the planning outlined in paragraphs 37 to 46 of that report,

Reaffirming its full support for the High Representative and his staff and his responsibility in implementing the civilian aspects of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex),

Commending the United Nations Mission in Bosnia and Herzegovina (UNMIBH), including the International Police Task Force (IPTF), and recalling the recommendations of the Bonn Peace Implementation Conference relating to UNMIBH, including the IPTF,

Expressing its appreciation to the personnel of UNMIBH, including the IPTF, and to the Special Representative of the Secretary-General and the IPTF Commissioner,

Emphasizing the increasing importance of specialized training for local police in Bosnia and Herzegovina, especially in the areas of critical incident management, corruption, organized crime and drug control, as outlined in the report of the Secretary-General,

Acknowledging that success in the area of police reform in Bosnia and Herzegovina is closely linked to complementary judicial reform, and taking note of the report of the High Representative of 9 April 1998 (S/1998/314), which emphasizes that judicial reform is a priority for further progress,

1. Decides to authorize an increase in the strength of the IPTF by 30 posts, to a total authorized strength of 2,057;

2. Supports the improvements in the overall management of the IPTF undertaken by the Secretary-General, his Special Representatives, and the IPTF Commissioners and personnel in Bosnia and Herzegovina, stresses the importance of continued reforms in this area, and in this regard strongly encourages the Secretary-General to make further improvements to the IPTF, in particular with regard to personnel management issues;

3. Encourages Member States to intensify their efforts to provide, on a voluntary funded basis and in coordination with the IPTF, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

4. Recognizes that establishing an indigenous public security capability is essential to strengthening the rule of law in Bosnia and Herzegovina, agrees to consider expeditiously an UNMIBH-led court monitoring programme as part of an overall programme of legal reform as outlined by the Office of the High Representative, and requests the Secretary-General to submit recommendations on the possibility of utilizing locally hired personnel as far as is practical and of voluntary funding;

5. Decides to remain seized of the matter.